(12)
(1)

IN THE CHHATTISGARH HIGH COURT OF JUDICATURE AT BILASPUR

WRIT PETITION NO. 1783 OF 2001

1 Satyaraj Singh, aged about 47 years
Son of Shri Shivnath Singh, Inspector, (M)

2 Shankarlal, aged about 57 years,
Son of Shri Mohanlal, Subedar (M)

3 L.M. Shukla, aged about 56 years,
Son of Shri Janmeshwar, Sub-Inspector, (M)

4 G.R. Saw, aged about 57 years,
Son of Shri Sadhram, Asst. Sub Inspector. (M)

5 S.K. Dubey, aged about 42 years,
Son of Late Bhushan Prasad Dubey,
Asst. Sub Inspector. (M)

6 Rajesh Shrivastava, aged about 41 years,
Son of Shri Rameshwar Lal, Asst. Sub Inspector, (M)

7 Ashish Shukla, aged about 36 years,
Son of Shri M.M. Shukla, Asst. Sub Inspector, (M)

8 Rakesh Shivhare, aged about 37 years,
Son of Late B.P. Shivhare, Asst. Sub Inspector, (M)

9 Devesh Baisvare, aged about 35 years,
Son of R.K. Baisvare, Asst. Sub. Inspector. (M)

10 S.K. Kamalsey, aged about 37 years,
Son of Shri Chetanram, Asst. Sub Inspector, (M)

11 Sudhir Shrivastava, aged about 25 years,
Son of Shri Veeresh Shrivastava, Asst. Sub Inspector, (M)

(2) 13

12 Smt. Goomadevi, aged about 29 years,
Wife of Thamanvisth, Head Constable (W/

1 – 12 posted in II Battalion
Chhattisgarh armed police
Village and post - Sakari, Bilaspur.

13 Kashiram Rajak, aged about 60 years,
Son of Late Shri Hariram Rajak
Retired Sub Inspector (W)
R/o. Gondpara, Bilaspur

14 Rameshwar Lal aged about 64 years,
Son of Late Jawanlal, Retired Subedar, (W)
Village and post – Sakari,
District-Bilaspur.

15 Prakash Verma, aged about 51 years,
Son of Late J P Verma, Sub Inspector, (W)

16 Mohd. Ismile, aged about 57 years,
Son of Abdul Rahman Khan, Sub Inspector (W)

17 Mohd. Akhtar Hussain, aged about 51 years,
Son of Late Tashdak Hussain, Sub Inspector, (W)

18 Rampal Singh, aged about 43 years,
Son of Shri Komal Singh, Sub Inspector, (W)

19 Smt Kamlasingh, aged about 44 years,
Son of Shri Rajkaran Singh, Sub Inspector, (W)

20 P.K.Rai, aged about 55 years,
Son of Late D P Rai, A.S.I. (W)

21 Smt Shushma Sharma, aged about 33 years,
Wife of Shri Rajendra Sharma, A.S.I. (W)

22 Ku. Pushpa Kumbhare, aged about 31 years,
D/o. Late Vitthulal, A.S.I. (M)

23 Bhagirathi Mahar, aged about 30 years,
Son of Shri Mitthulal, A.S.I. (M)

24 Ramayan Yadav, aged about 27 years,
Son of Shri Shyamlal, A.S.I. (M)

15 – 24 Posted in Range Motor
Transport Workshop, Police Line,
Bilaspur. (Chhattisgarh) **PETITIONERS**

VERSUS

1. The State of Chhattisgarh,
Through : the Chief Secretary
Mantralay D.K.S. Bhawan, Raipur
Chhattisgarh.

2. The Director General of Police,
Police Head Quarters Raipur.

3. State of Madhya Pradesh,
Through : Secretary,
Home (Police) Department
Vallabh Bhavan, Bhopal,

4. Commandant, II Battalion,
Chhattisgarh Armed Police Sakari,
Bilaspur.
5. Deputy Superitendent Police,
Range Motor Transport Workshop,
Police Line, Bilaspur.

(4) 15

6. District Treasury Officer,
   Collectorate Bilaspur.

RESPONDENTS

WRIT PETITION UNDER ARTICLE 226 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF WRIT IN THE NATURE OF CERTIORARI, MANDAMUS, PROHIBITION OR ANY OTHER SUITABLE WRIT/WRITS, ORDER/ORDERS AND DIRECTION/DIRECTIONS.

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

(49)

आदेश पत्रक

मामला क्रमांक W.P. 1783 सन् 2001

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

4.10.2001 :

Mr.P.K.C.Tiwari for the petitioner.

The grievance of the writ petitioner is relatable to the entitlement of salary and allowance. Mr.Tiwari contends that violation of fundamental right is involved in the matter and therefore,this petition should be examined by the High Court. On the other hand, Mr.Kesharwani appearing for the state submits that clearly this matter should come within the purview of jurisdiction of State Administrative Tribunal. Shri Tiwari further submits that in similar cases this court has issued notices and therefore this case also should be entertained by this Court.

In my view entitlement of salary and allowance is also the condition of service. If that be so, prima facie , I entertain no doubt in my mind that this matter can and should be examined by the State Administrative Tribunal. I may state that some time before the State Administrative Tribunal was not functioning but the same is now functioning at Raipur and in fact many petitions pertaining to services have been transferred toState Administrative Tribunal.

Without expressing any opinion on merit I am of the

आदेश पत्रक (पुर्वानुबद्ध)

आदेश का दिनांक आदेश क्रमांक सहित	..2.. आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	view that this petition should be disposed of with a direction that petitioners should approach the State Administrative Tribunal at Raipur. Petition is accordingly disposed of.	

Sd/-
Chief Justice